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SUBJECT: Latvian parliament approves Russian border treaty

Ref: Riga 193 and previous

¶1. Summary: Latvia's Saeima (parliament) voted 70-25 on May 17 to ratify the Latvia-Russia Border Treaty signed by both prime ministers on March 27. Although the two main opponents of ratification of the treaty - the coalition party For Fatherland and Freedom/LNNK (TB/LNNK) and the opposition party New Era (JL) - argued for adoption of a number of amendments which would either freeze or delay ratification, lawmakers rejected all amendments and the law was adopted comparatively quickly and debates lacked true enthusiasm. President Vaira Vike-Freiberga welcomed the Saeima's decision and promised to sign the instrument of ratification quickly. Russian officials have signaled the possibility that the Duma could act by the end of June, although the Latvians are not getting their hopes up. End summary.

¶2. In an almost two-hour debate, the Saeima adopted the Law on Ratification of the Latvia-Russia Border Treaty. Prime Minister Kalvitis (People's Party) and FM Pabriks (People's Party) took part in the debates. Both called on opponents to be "responsible politicians and keep up to date," stressing that by ratifying the treaty Latvia would fulfill its international commitments made when joining the EU and NATO (when Latvia said it had no outstanding territorial claims). Under the treaty, Latvia effectively acknowledges the transfer of the Abrene region to Russia in Stalin's era.

¶3. Opponents kept to their standard arguments. The nationalist party in the coalition, TB/LNNK, repeated its objections that by ratifying the treaty Latvia denies the fact that it was forcibly occupied by the Soviet Union and consequently gives up any territorial claims towards Russia, as well as exempts Russia from taking any responsibilities for dealing with the "consequences" of the occupation (meaning potential reparations).

¶4. Main opposition party, New Era (JL), continued to argue that the party does not oppose the treaty as such; however, the decision on ratification should be taken only after a national referendum because it modifies the country's border set forth in the constitution. New Era, along with several MP from the coalition who oppose the treaty, filed suit in the Constitutional Court to contest the legitimacy of the border treaty. They argue that the Constitution requires a referendum to change Latvia's borders. The ruling of the Constitutional Court is expected in the fall. Both TB/LNNK and JK proposed amendments which would delay exchange of instruments of ratification until after the ruling of the Constitutional Court. All proposed amendments were rejected.

¶5. As was the case when Saeima authorized the government to sign the treaty, the session was accompanied by public protests. More than 100 people led by ultra nationalist group All for Latvia (Visu Latvijai!) gathered at the Saeima building to protest what they claim is the give away of Latvia's territory.

¶6. Russian Ambassador to Latvia Viktor Kalyuzny has stated in a Latvian newspaper interview that Russia could complete ratification of the order treaty by the end of June. The Ambassador also indicated ratification is proceeding without any problems in Russia

and that there are no grounds for concerns that Moscow is hampering the process. Also the Russian Duma's International Affairs Committee Deputy Chairman Leonid Slutski is quoted in Latvian press saying that he anticipates that President Putin will submit the bill for ratification of the border agreement before the end of the spring session.

¶6. Comment: Latvia is getting closer to resolving its long-running border issue with Russia. Even if the ruling of the Constitutional Court is negative (which most legal experts suspect will not happen), if instruments of ratification have been exchanged, it seems the treaty will be in force. Nevertheless, a negative ruling of the CC would place Latvia in a very difficult situation as there would be a conflict between domestic and international law. The ruling coalition is taking a calculated risk here, betting both that the court will rule in its favor and that, if it does not, it can solve the resulting legal conundrum with minimal political fallout. While the Latvians are encouraged by Russian statements of quick action they know that Moscow's position can change quickly, as with Putin's strident criticism of Latvia at the EU-Russia summit in Samara.

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